

A
B I L L

TO

Confirm certain Provisional Orders of the Local Govern- A.D. 1900.
ment Board for Ireland relating to Bray. —

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the schedule hereto under the Housing of the Working Classes Act 1890 :

And whereas it is requisite that the said Orders should be
5 confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

- 10 1. The Orders set out in the schedule hereto are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in
schedule
confirmed.
2. This Act may be cited as the Local Government Board Short title.
(Ireland) Provisional Orders Confirmation (Housing of Working
Classes) (No. 2) Act 1900.

A.D. 1900.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Bray.

BRAY URBAN DISTRICT.

PROVISIONAL ORDER No. 1.

*Confirming an Improvement Scheme under Part I. of the Housing 5
of the Working Classes Act 1890.*

WHEREAS the Bray urban district council (herein-after called the local authority) are the urban sanitary authority of the urban sanitary district consisting of the town of Bray in the county of Wicklow :

53 & 54 Vict.
c. 79.

And whereas an official representation has been made to the local authority 10
in pursuance of Part I. of the Housing of the Working Classes Act 1890 with
reference to an unhealthy area in the said town called the Bath Street and
Captain's Avenue &c. unhealthy area which unhealthy area comprises the three
several areas described in the deposited map and book of reference herein-after
referred to :

And whereas the local authority being satisfied of the truth of the said 15
representation and of the sufficiency of their resources have passed a resolution
that the area described in the said representation is an unhealthy area and have
made a scheme for the improvement of the said area and an estimate of the
expenses which are respectively as follows :—

15

20

URBAN DISTRICT OF BRAY.

In the matter of the Housing of the Working Classes Act 1890 53 & 54 Vict.
cap. 79.

PART I.

SCHEME of the Bray Urban District Council for the improvement of an unhealthy 25
area called Bath Street Captain's Avenue &c. unhealthy area.

1. The scheme may be cited as the Bray Improvement Scheme 1900.

2. In this scheme "the council" means the Bray urban district council "the 30
clerk" and "the surveyor" mean respectively the clerk to said council and the
surveyor to said urban district of Bray and "the plan" means the map or plan
which accompanies this scheme.

3. The unhealthy area included in this scheme is the area delineated and
indicated on the plan. A duplicate of the plan is deposited at the office of the

clerk Town Hall Bray Copies of the plan or of any part or parts thereof certified by the surveyor shall be received in all courts of justice and elsewhere as evidence of the contents thereof respectively.

A.D. 1900.
Bray.

4. This scheme comprises and will include in its operations the following streets or roads Back Street and Captain's Avenue in the townland of Little Bray and Dodd's yard Barry's yard and Pollard's yard in the townland of Bray Commons all in the parish of Old Connaught and urban district of Bray in the county of Wicklow.
5. The council may take compulsorily enter on and deal with for the purpose of this scheme all or any of the lands delineated on the plan.
6. The council may widen existing approaches to and communications through the said unhealthy area and they may lay out form sewer pave and complete such new streets or roads and may make all such alterations of level diversions or stoppings up as are shown on the plan or as they may hereafter determine to be necessary and proper for opening out the said unhealthy area for the purpose of this scheme and of ventilation or health.
7. The council may from time to time appropriate any parts of the said area for the erection thereon of suitable dwellings for the working classes and they shall provide either by such appropriation parts of the said area and by securing the erection of suitable dwellings thereon or in some other manner for the accommodation of at least as many persons of the working classes as will be from time to time displaced within the unhealthy area.
8. The dwelling-houses to be erected in accordance with this scheme shall be well and substantially built and shall be so situated and constructed as to secure efficient ventilation and shall be furnished with a proper and sufficient water supply and with proper drainage and other sanitary appliances and apparatus to the satisfaction of the council And the council shall enforce the execution and maintenance of all proper sanitary arrangements within the area shown on the plan.
9. The council shall as soon as practicable after the passing of the Act confirming the Provisional Order authorising this scheme or a modification thereof proceed to carry the same into execution but they may from time to time purchase and deal with part of the lands and premises within the area delineated without being required to purchase and deal with the whole of the lands and premises within the said area.
10. The expenses of the execution of this scheme or any modification thereof (so far as they are not defrayed out of receipts of the council pursuant to the Artizans and Labourers Dwellings Acts 1875 and 1879) and the costs charges and expenses preliminary to and of and incidental to the preparation of this scheme and the application for the Provisional Order confirming the same the obtaining the confirmation by Parliament of such Order shall be paid by the council out of the local rates or out of moneys borrowed in pursuance of the said Acts.

A.D. 1900.

Bray.

Urban District of BRAY in the County of WICKLOW.

I estimate the cost of carrying out the scheme made by the Bray urban district council acting as the urban sanitary authority under the Housing of the Working Classes Act 1890 Part I. at £2943.

P. F. CONNELL M. Inst. C.E. 5

10th November 1899.

And whereas the said improvement scheme was accompanied by a map and a book of reference which have been deposited in the office of the Local Government Board for Ireland (herein called the Local Government Board) which said map and book of reference are herein-after called the deposited map and book of reference :

And whereas all advertisements and notices required by the said Act having been previously published served and given the local authority have presented a petition to the Local Government Board praying that an Order may be made confirming such scheme :

15

And whereas on consideration of the said petition and on proof of the publication of the proper advertisements and the service of the proper notices the Local Government Board have caused a local inquiry to be held in pursuance of the provisions of the said Act and have received the report made upon such inquiry :

20

Now We the Local Government Board in pursuance of the powers given to us by and subject to the provisions of the Housing of the Working Classes Act 1890 do hereby order as follows :—

53 & 54 Viet.
c. 70.

Confirmation
of Improvement
scheme
subject to
modification.
Declaration of
limits of area
comprised in
scheme.

1. We confirm the said scheme so far as its provisions are authorized by and in accordance with the Housing of the Working Classes Act 1890 and subject to the modification herein-after mentioned. 25
2. We declare that the limits of the area comprised in the scheme confirmed by this Order are those delineated and described in the deposited map and book of reference.

Authorisation
to carry out
scheme.

3. We authorise the said scheme to be carried into execution subject to the modification following that is to say—that in clause nine of the said scheme the words from “but they may from time to time” to the end of that clause be struck out and that in substitution for such words a clause be inserted therein in the following terms namely :—The council as the local authority shall be empowered to put in force for the purposes of this scheme the powers of the Lands Clauses Acts as amended by the second schedule of the Housing of the Working Classes Act 1890 with reference to the lands rights of way and other easements and premises comprised in the deposited map and book of reference and edged red on the said map. 30 35

53 & 54 Viet.
c. 70.

Provision
respecting
houses
occupied by
persons of the
labouring class.

- 4.—(1.) The local authority shall not in execution of the said scheme purchase or acquire ten or more houses which on the fifteenth day of December last were or have been since that day or will hereafter be occupied either 40

wholly or partly by persons belonging to the labouring class as tenants or lodgers unless and until—

A.D. 1903.

Bray.

(a.) They have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Board after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses and to the place of employment of such persons and to all the circumstances of the case and

(b.) They have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any such scheme may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every such scheme shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed and fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may deem fit.

(4.) Any provisions of any such scheme and any conditions subject to which the Local Government Board may have approved of any such scheme or of any modification thereof or subject to which the Local Government Board may have dispensed with the above-mentioned requirements shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the local authority acquire or appropriate any house for the purpose of this Order in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house in contravention of the requirements thereof they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the consolidated fund of the United Kingdom provided that the Court may if it think fit reduce the said penalty.

(6.) Subject to the provisions of the scheme the local authority the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this Order all or any of the powers vested in them by the Public Health (Ireland) Acts 1878 to 1896 in the same manner in every respect as if the preparation

*Local Government (Ireland) Provisional [63 VICT.]
Orders (Housing of Working Classes) (No. 2).*

A.D. 1900.

Bray.

and carrying out of such scheme were one of the general purposes of the said Acts. Provided that all lands on which any buildings have been erected or provided by the local authority in pursuance of any scheme under this Order shall for a period of twenty-five years from the date of the scheme be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this provision. Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may deem fit. 10

(7.) The local authority shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Order in pursuance of this section of this Order and any expenses incurred by the Local Government Board in relation to any inquiries under this Order including the expenses of any witness summoned by the inspector holding the inquiry and a sum to be fixed by the Local Government Board not exceeding three guineas a day for the services of such inspector. 15

(8.) For the purposes of this Order the expression "labouring class" includes mechanics artificers labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them. 25

Short title of Order.

5. This order may be cited as the Bray Provisional Order No. 1 1900.

Given under our hands and seal of office this Nineteenth day of May
in the year of our Lord One thousand nine hundred.

(L.S.)

(Signed) H. A. ROBINSON.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

30

BRAY URBAN DISTRICT.

PROVISIONAL ORDER No. 2.

WHEREAS the Bray urban district council (herein-after called the sanitary authority) are the urban sanitary authority of the urban sanitary district consisting of the town of Bray in the county of Wicklow and have adopted Part III. of the Housing of the Working Classes Act 1890 and have presented a Petition to the Local Government Board for Ireland (herein-after called the Local Government Board) praying that they may be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands required for 40

41 & 42 Vict.
c. 32.
53 & 54 Vict.
c. 70.

the purposes of the said Part III. of the said Act and also for the purpose of widening opening enlarging and otherwise improving certain streets or roads within the said town :

A.D. 1900.
Eray.

And whereas the sanitary authority have deposited in the office of the Local Government Board plans and a book of reference (herein-after called the deposited plans and book of reference) showing the lands and premises required for the purposes aforesaid :

And whereas all advertisements and notices required by the Public Health (Ireland) Act 1878 having been previously published served and given the Local Government Board have caused a local inquiry to be held as to the propriety of assenting to the prayer of the said petition and it appears to the Local Government Board to be proper to assent thereto :

41 & 42 Vict.
c. 32.

It is ordered by the Local Government Board as follows :—

1. From and after the confirmation of this Order by Parliament the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with respect to the lands easements rights of way and other premises described in the deposited plans and book of reference and for the purposes of this Order the word "land" in the Lands Clauses Acts shall extend to and include the said lands easements rights of way and other premises.

Compulsory powers to take lands and premises.

2.—(1.) The sanitary authority shall not under the powers of this Order without the consent of the Local Government Board purchase or acquire ten or more houses which after the confirmation of this Order by Parliament have been or on the fifteenth day of December last were occupied either wholly or partly by persons belonging to the labouring class as tenants or lodgers unless and until—

Provision as to houses occupied by the working classes.

(a.) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case and

(b.) They have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any such scheme may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every such scheme shall contain provisions prescribing the time within which it is to be carried out and shall require the new buildings proposed to be provided under the scheme to be completed fit for

A.D. 1900.

Brag.

occupation before the persons residing in the houses in respect of which the scheme is made are displaced. Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may deem fit.

(4.) Any provisions of any such scheme and any conditions subject to which the Local Government Board may have approved of any such scheme or of any modifications thereof or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court. 10

(5.) If the sanitary authority acquire or appropriate any house for the purposes of this Order in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house in contravention of the requirements of this scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom provided that the Court may if it think fit reduce such penalty. 15

(6.) For the purpose of carrying out any such scheme the sanitary authority may subject to the approval of the Local Government Board appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require. 20

(7.) Subject to the provisions of the scheme the sanitary authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this Order all or any of the powers vested in them under the Public Health (Ireland) Acts 1878 to 1896 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of those Acts. Provided that all lands on which any buildings have been erected or provided by the sanitary authority in pursuance of any scheme under this Order shall for a period of twenty-five years from the confirmation of this Order by Parliament be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this provision. Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may deem fit. 25 30 35

(8.) The sanitary authority shall if required by the Local Government Board pay to the said Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section of this Order and any expenses incurred by the Local Government Board in relation to any inquiries under this Order including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector. 40 45

41 & 42 Vict.
c. 53.
52 & 60 Vict.
c. 54.

(9.) For the purposes of this Order the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

A.D. 1900.

Bray.

3. In this Order the expression "the Lands Clauses Acts" means the Lands Clauses Acts as amended by section eight of the Public Health (Ireland) Act 1896.

Interpretation.
59 & 60 VICT.
c. 54.

4. The costs and expenses of the sanitary authority and of the Local Government Board of and incidental to the application for preparing obtaining making and confirming of this Order shall be paid by the sanitary authority as part of their expenses under the Public Health (Ireland) Acts 1878 to 1896.

Costs of Order.

5. This Order may be cited as the Bray Provisional Order (No. 2) 1900.

*Short title
of Order.*

Given under our hands and seal of office this Sixteenth day of May
in the year of our Lord One thousand nine hundred.

(L.S.)

(Signed) H. A. ROBINSON.

